

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

E.K. and S.K., minors, by and through their parent and next friend LINDSEY KEELEY; O.H., S.H., and H.H., minors, by and through their parent and next friend, JESSICA HENNINGER; E.G., a minor, by and through his parent and next friend MEGAN JEBELES; E.Y. and C.Y., minors, by and through their parent and next friend ANNA YOUNG; L.K., L.K., and L.K., minors, by and through their parent and next friend ANNA KENKEL; and M.T., a minor, by and through her parent NATALIE TOLLEY,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE
EDUCATION ACTIVITY; DR. BETH SCHIAVINO-NARVAEZ, in her official capacity as Director of the Department of Defense Education Activity; and PETER BRIAN HEGSETH, in his official capacity as Secretary of Defense,

Defendants.

Case No. 1:25-cv-00637-PTG-IDD

Hon. Patricia Tolliver Giles

**DECLARATION OF MATTHEW CALLAHAN
IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

1. My name is Matthew Callahan. I am over the age of eighteen and a Senior Supervising Attorney at the American Civil Liberties Union Foundation of Virginia. Along with co-counsel, I represent Plaintiffs in this case. I have personal knowledge of the facts set out in this Declaration. If called upon as a witness, I would competently testify as to the matters stated herein. I submit this declaration to attach government records for the Court's consideration related to Plaintiffs' Motion for a Preliminary Injunction.

2. The Department of Defense Education Activity (DoDEA) has stated that it provides elementary and secondary education to approximately 67,000 children in 161 accredited schools worldwide. A true and correct copy of the “2024-2025 DoDEA By the Numbers” factsheet is attached as **Exhibit 1** and available at <https://dodea.widen.net/s/hwlrddfc5/dodea-by-the-numbers-placemat-sy-22-23>.

3. DoDEA schools have won education awards. A true and correct copy of DoDEA’s “School Awards” webpage, with subpages, is attached as **Exhibit 2** and available at <https://www.dodea.edu/education/school-awards>.

4. On January 29, 2025, DoDEA reported that fourth- and eighth-grade DoDEA students led the nation in math and reading on the National Assessment of Educational Project (NEAP) assessments. A true and correct copy of the DoDEA press release titled “DoD Schools Ranked Best in the United States Again on Nation’s Report Card” is attached as **Exhibit 3** and available at <https://www.dodea.edu/news/press-releases/dod-schools-ranked-best-united-states-again-nations-report-card>.

5. On February 3, 2025, the United States Army published on its website an article about DoDEA schools. A true and correct copy of this article, “DoDEA Students Lead Nation in NAEP Performance, Again Showcasing the Strength of 21st Century Education Model,” is attached as **Exhibit 4** and available at https://www.army.mil/article/282980/dodea_students_lead_nation_in_naep_performance_again_showcasing_the_strength_of_21st_century_education_model.

6. On January 20, 2025, President Donald J. Trump issued Executive Order (EO) 14168, “Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.” A true and correct copy of EO 14168 is attached as **Exhibit 5** and available at <http://govinfo.gov/content/pkg/FR-2025-01-30/pdf/2025-02090.pdf>.

7. On January 27, 2025, President Trump issued EO 14185, “Restoring America’s Fighting Force.” A true and correct copy of EO 14185 is attached as **Exhibit 6** and available at <https://www.govinfo.gov/content/pkg/FR-2025-02-03/pdf/2025-02181.pdf>.

8. On January 29, 2025, President Trump issued EO 14190, “Ending Radical Indoctrination in K-12 Schooling” (with EOs 14168 and 14185, the “EOs”). A true and correct copy of EO 14190 is attached as **Exhibit 7** and available at <https://www.govinfo.gov/content/pkg/FR-2025-02-03/pdf/2025-02232.pdf>.

9. On March 4, 2025, President Trump addressed a Joint Session of Congress. A true and correct copy of President Trump’s remarks is attached as **Exhibit 8** and available at <https://www.whitehouse.gov/remarks/2025/03/remarks-by-president-trump-in-joint-address-to-congress/>.

10. On February 7, 2025, Shawn Knudsen, Principal of DoDEA Wiesbaden Middle School in Wiesbaden, Germany, sent an email to teachers regarding compliance with the EOs. A true and correct copy of the email is attached as **Exhibit 9**.

11. On February 5, 2025, Lori Pickel, Acting Chief Academic Officer for DoDEA, circulated a memorandum directing school librarians to “immediately” begin relocating books in response to the EOs. A true and correct copy of this memorandum, entitled Administrative Operational Compliance Review of Books Related to Gender and/or Discriminatory Equity Ideology Topics, is attached as **Exhibit 10**.

12. On February 7, 2025, Charles Kelker, DoDEA Europe Chief of Staff, circulated a memorandum to administrators and school-level employees regarding compliance with the EOs. A true and correct copy of this memorandum is attached as **Exhibit 11**.

13. On February 10, 2025, Beth Schiavino-Narvaez, DoDEA Director, sent a letter to DoDEA Sponsors, Parents, and Guardians. A true and correct copy of this letter is attached as **Exhibit 12**.

14. DoDEA has developed a training for librarians on how to identify books for removal. A true and correct copy of this training is attached as **Exhibit 13** and available at https://rise.articulate.com/share/Co7fkmnPI6eyrWDe00At1Votq7bwAhcH#/.

15. Several books have already been removed from DoDEA school libraries and curricula. Although DoDEA has not yet published lists, a compilation of books reported to have been removed, along with the source of the reporting, is attached as **Exhibit 14**.

16. On March 7, 2025, Michelle Howard-Brahaney, DoDEA Europe Director for Student Excellence, circulated a letter to DoDEA parents and students stating that schools had “completed their review of library materials” relating to “gender ideology or discriminatory equity ideology” as defined in EO 14190. A true and correct copy of this letter is attached as **Exhibit 15**.

17. On January 31, 2025, Defendant Peter Brian Hegseth, Secretary of Defense, released guidance titled “Identity Months Dead at DoD.” A true and correct copy of this guidance is attached as **Exhibit 16** and available at <https://www.defense.gov/News/Releases/Release/article/4050331/identity-months-dead-at-dod/>.

18. On February 24, 2025, Taylor York, DoDEA Program Manager, issued guidance instructing DoDEA schools regarding compliance with the EOs. A true and correct copy of this guidance is attached as **Exhibit 17**.

19. On January 29, 2025, Secretary Hegseth released a memorandum with the subject “Restoring America’s Fighting Force.” A true and correct copy of this memorandum is attached as **Exhibit 18** and available at <https://media.defense.gov/2025/Jan/29/2003634987/-1/-1/1/RESTORING-AMERICAS-FIGHTING-FORCE.PDF>.

20. On February 5, 2025, Lori Pickel, Acting Chief Academic Officer for DoDEA, circulated a memorandum entitled Administrative Operational Compliance Review of DoDEA Adopted Instructional Resources Related to Gender and/or Discriminatory Equity Ideology Topics. A true and correct copy of this memorandum is attached as **Exhibit 19**.

21. Several books have already been "Quarantined" from DoDEA school libraries. Although DoDEA has not yet published lists, a binder of books reported to have been removed is attached as **Exhibit 20**.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on May 7, 2025 in Silver Spring, Maryland.

/s/ Matthew Callahan
Matthew Callahan
ACLU OF VIRGINIA FOUNDATION
Attorney for Plaintiffs